

65A-8a-104 Notification of intent to conduct forest practices.

- (1) No later than 30 days before an operator commences forest practices, the operator shall notify the division of the operator's intent to conduct forest practices.
- (2) The notification shall include:
 - (a) the name and address of the operator;
 - (b) the name, address, and other current contact information of the landowner;
 - (c) a legal description of the area in which the forest practices are to be conducted;
 - (d) a description of the proposed forest practices to be conducted, including the number of acres with timber to be harvested; and
 - (e) an agreement granting the state forestry personnel permission to enter the area in which the forest practices are to be conducted to conduct an inspection, when the state forestry personnel reasonably consider an inspection necessary to ensure compliance with this chapter.
- (3) Upon the receipt of notification, the division shall, within 10 days, mail to the landowner and the operator:
 - (a) an acknowledgment of notification;
 - (b) information on Forest Water Quality Guidelines; and
 - (c) any other information the division believes would assist the landowner and operator in conducting forest practices.
- (4)
 - (a) Failure to notify the division in accordance with this section is a class B misdemeanor.
 - (b) The division may file an action in the district court of any county in which the area in which the forest practices are to be conducted is located to enjoin an operator engaged in conduct violating this chapter from operating until the operator complies with this chapter.
 - (c) In an action by the division in accordance with Subsection (4)(b), the operator shall pay reasonable attorney fees and all court costs incurred by the division because of the action.

Amended by Chapter 40, 2010 General Session